

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re UBS AUCTION RATE SECURITIES	)	
LITIGATION	)	
	)	Master File No. 08-cv-02967
THIS DOCUMENT RELATES TO:	)	
ALL ACTIONS	)	
_____	X	

[additional captions follow]

**NOTICE OF MOTION OF ARIC A. STREIT AND MARY STREIT, AS TRUSTEES  
FOR THE BENEFIT OF THE STREIT LIVING TRUST, FOR CONSOLIDATION,  
APPOINTMENT AS LEAD PLAINTIFFS AND APPROVAL OF LEAD PLAINTIFFS'  
SELECTION OF CO-LEAD COUNSEL**

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*Proposed Co-Lead Counsel for the Class*

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RANDOLPH BONNIST, Individually and On	)	
Behalf Of Himself And All Others Similarly	)	
Situated,	)	
	)	
Plaintiff,	)	Case No. 08-cv-4352
	)	
vs.	)	
	)	
UBS AG, UBS SECURITIES LLC and UBS	)	
FINANCIAL SERVICES, INC.,	)	
	)	
Defendants.	)	
	)	
<hr/>		X
RONALD D. KASSOVER, on behalf of himself	)	
and all others similarly situated,	)	
	)	
Plaintiff,	)	
	)	Case No. 08-cv-02753
vs.	)	
	)	
UBS AG and UBS FINANCIAL SERVICES,	)	
INC.,	)	
	)	
Defendants.	)	
	)	
	)	
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PLEASE TAKE NOTICE that Aric A. Streit and Mary Streit, as Trustees for the Benefit of The Streit Living Trust (“Movants”), by their counsel, will hereby move this Court on a date and at such time as may be designated by the Court, at 500 Pearl Street, New York, New York for an Order: (i) consolidating *Bonnist v. UBS AG*, No. 1:08-CV-4352 (LMM) (S.D.N.Y. filed May 8, 2008) and *Kassover v. UBS AG*, No. 1:08-cv-3082 with *In re UBS Auction Rate Securities Litigation*, Master File No. 08-CV-02967 (LMM) for all purposes pursuant to the Stipulation and Order of Consolidation of Related Cases entered on May 16, 2008 and Fed. R. Civ. P. 42(a); (ii) appointing Aric A. Streit and Mary Streit as Trustees for the Benefit of The Streit Living Trust as Lead Plaintiffs in the actions alleging violations of the securities laws, *In re UBS Auction Rate Securities Litigation*, Master File No. 08-CV-02967 (LMM) and *Bonnist v. UBS AG*, No. 1:08-CV-4352 (LMM) (S.D.N.Y. filed May 8, 2008) (collectively the “Securities Actions”); (iii) approving Movants’ selection of the law firms of Milberg LLP (“Milberg”) and Law Offices of George A. Shohet, A Professional Corporation (“Shohet”) to serve as Co-Lead Counsel in the Securities Actions; (iv) appointing Milberg and Shohet as Interim Co-Lead Counsel with respect to the Investment Advisers Act claim pursuant to Fed. R. Civ. P. 23(g)(2)(A); and (v) granting such other and further relief as the Court may deem just and proper. In support of this Motion, Movants submit herewith a Memorandum of Law, a [Proposed] Order, and the Declaration of Kent A. Bronson, dated May 20, 2008.

Dated: May 20, 2008

Respectfully submitted,

**MILBERG LLP**

By: /s/ Kent A. Bronson  
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*Other Counsel for Movants*

**CERTIFICATE OF SERVICE**

I, Todd L. Kammerman, an associate at the law firm Milberg LLP, hereby certify that I caused a true and correct copy of the following documents to be served with the Clerk of the Court using the CM/ECF system, which will send notifications of filing to the CM/ECF participants listed on the attached Service List, and caused all counsel listed on the Service List to be served by regular U.S. Mail on this 20<sup>th</sup> day of May 2008:

1. NOTICE OF MOTION OF ARIC A. STREIT AND MARY STREIT AS TRUSTEES FOR THE BENEFIT OF THE STREIT LIVING TRUST FOR CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFFS AND APPROVAL OF LEAD PLAINTIFFS' SELECTION OF CO-LEAD COUNSEL;
2. [PROPOSED] ORDER CONSOLIDATING ACTIONS, APPOINTING LEAD PLAINTIFFS AND APPROVING LEAD PLAINTIFFS' SELECTION OF CO-LEAD COUNSEL;
3. MEMORANDUM OF LAW IN SUPPORT OF THE MOTION OF ARIC A. STREIT AND MARY STREIT AS TRUSTEES FOR THE BENEFIT OF THE STREIT LIVING TRUST FOR CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFFS AND APPROVAL OF LEAD PLAINTIFFS' SELECTION OF CO-LEAD COUNSEL; AND
4. DECLARATION OF KENT A. BRONSON IN SUPPORT OF THE MOTION OF ARIC A. STREIT AND MARY STREIT AS TRUSTEES FOR THE BENEFIT OF THE STREIT LIVING TRUST FOR CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFFS AND APPROVAL OF SELECTION OF CO-LEAD COUNSEL.

s/ Todd L. Kammerman

Todd L. Kammerman

UBS AG

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re UBS AUCTION RATE SECURITIES	)	
LITIGATION	)	
	)	Master File No. 08-cv-02967
THIS DOCUMENT RELATES TO:	)	
ALL ACTIONS	)	
_____	X	
[ <i>additional captions follow</i> ]		

**[PROPOSED] ORDER CONSOLIDATING ACTIONS, APPOINTING LEAD  
PLAINTIFFS AND APPROVING LEAD PLAINTIFFS' SELECTION OF CO-LEAD  
COUNSEL**



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RANDOLPH BONNIST, Individually and On	)	
Behalf Of Himself And All Others Similarly	)	
Situated,	)	
	)	
Plaintiff,	)	Case No. 08-cv-4352
	)	
vs.	)	
	)	
UBS AG, UBS SECURITIES LLC and UBS	)	
FINANCIAL SERVICES, INC.,	)	
	)	
Defendants.	)	
	)	
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RONALD D. KASSOVER, on behalf of himself	)	
and all others similarly situated,	)	
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Plaintiff,	)	
	)	Case No. 08-cv-02753
vs.	)	
	)	
UBS AG and UBS FINANCIAL SERVICES,	)	
INC.,	)	
	)	
Defendants.	)	
	)	
	)	
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Upon consideration of the motions and supporting papers for consolidation, appointment of lead plaintiffs and co-lead counsel in the above-captioned action and for good cause shown,

IT IS HEREBY ORDERED THAT:

1. The Motion of Aric A. Streit and Mary Streit as trustees for the benefit of The Streit Living Trust is GRANTED;

2. *Bonnist v. UBS AG*, No. 1:08-CV-4352 (LMM) (S.D.N.Y. filed May 8, 2008) and *Kassover v. UBS AG*, No. 1:08-cv-3082 are hereby CONSOLIDATED with *In re UBS Auction Rate Securities Litigation*, Master File No. 08-CV-02967 (LMM) for all purposes pursuant to the Stipulation and Order of Consolidation of Related Cases entered on May 16, 2008 and Fed. R. Civ. P. 42(a);

3. Aric A. Streit and Mary Streit as trustees for the benefit of The Streit Living Trust are hereby APPOINTED to serve as Lead Plaintiffs in the actions alleging violations of the securities laws, *In re UBS Auction Rate Securities Litigation*, Master File No. 08-CV-02967 (LMM) and *Bonnist v. UBS AG*, No. 1:08-CV-4352 (LMM) (S.D.N.Y. filed May 8, 2008) (collectively the “Securities Actions”), pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934 (“Exchange Act”), 15 U.S.C. § 78u-4(a)(3)(B), as amended by the Private Securities Litigation Reform Act of 1995.

4. The law firms of Milberg LLP (“Milberg”) and Law Offices of George A. Shohet, A Professional Corporation (“Shohet”) are hereby APPOINTED to serve as Co-Lead Counsel for the Class in the Securities Actions, pursuant to Section 21D(a)(3)(B) of the Exchange Act, 15 U.S.C. § 78u-4(a)(3)(B), as amended by Section 101(a) of the Private Securities Litigation Reform Act of 1995, in the above-captioned action.

5. The law firms of Milberg and Shohet are hereby APPOINTED as Interim Co-Lead Counsel with respect to the Investment Advisers Act claim pursuant to Fed. R. Civ. P. 23(g)(2)(A).

SO ORDERED.

Dated: \_\_\_\_\_, 2008

\_\_\_\_\_  
United States District Judge